GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration & Stamps Department – Allegation of criminal misconduct against Sri Y.K.Nanda Kishore, former JSR-II, Nellore, SPSR Nellore District – Certain irregularities noticed - Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of charge – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.774 Dated:03-12-2021

Read the following:

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ORDER :

It is proposed to hold an enquiry against Sri Y.K.Nanda Kishore, former Joint Sub Registrar-II, Nellore, SPSR Nellore District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputation of misbehavior in support of article of charge is enclosed as Annexure–II. A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri Y.K.Nanda Kishore, former Joint Sub Registrar-II, Nellore, SPSR Nellore District is directed to submit his Written Statement of Defense within ten days from the date of the receipt of this order.

4. Sri Y.K.Nanda Kishore, former Joint Sub Registrar-II, Nellore, SPSR Nellore District is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Y.K.Nanda Kishore, former Joint Sub Registrar-II, Nellore, SPSR Nellore District is further informed that if he does not submit his Written Statement of Defense on or before the date specified in the para-3 above, further action will be processed based on the material available.

6. Attention of Sri Y.K.Nanda Kishore, former Joint Sub Registrar-II, Nellore, SPSR Nellore District is invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant should bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri Y.K.Nanda Kishore, former Joint Sub Registrar-II, Nellore, SPSR Nellore District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Y.K.Nanda Kishore, former JSR-II, Nellore, SPSR Nellore District (through the Deputy Inspector General, Registration & Stamps, Nellore with a direction to serve the order on the individual and furnish the served copy along with dated acknowledgement to Government for record).

(P.T.O)

The Deputy Inspector General, Registration & Stamps, Nellore.

Copy to:

The Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada, Krishna District.

The Secretary to the Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi, Guntur District.

The Director General, Anti-Corruption Bureau, Andhra Pradesh, Pandit Nehru Bus Station, NTR Administrative Block, II Floor, Vijayawada.

SF / SC

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI YAKAM KESARI NANDA KISHORE, FORMERLY JOINT SUB-REGISTRAR-II, NELLORE, SPSR NELLORE DISTRICT.

That Government servant, Sri Y.K.Nanda Kishore S/o. Venkata Rangaiah, Age 44 Years, joined as attender in Stamps & Registration Department on 08-04-1985 and promoted as shroff, Junior Assistant and Sr. Asst and he was further promoted as Sub-Registrar and worked as Joint Sub-Registrar-II, Registrar Office, Nellore, SPSR Nellore district (herein after referred as Government Servant). While functioning as Joint Sub- Registrar-II, Nellore Sri Y.K.Nanda Kishore from 23-04-2010 to 03-01-2011, committed gross misconduct as such as.

CHARGE:

That the Government Servant Sri Y.K.Nanda Kishore, Joint Sub Registrar-II, Nellore city intentionally allowed Smt. M. Sowjanyamma to register the lease deed vide Doc. No: 7929, dated: 08.06.2010 by showing the site at Kondayapalem area though the actual location of the site situated at Ramalingapuram with a common intention to do favour for the party in avoiding stamp duty, without verifying the actual location of the site registered and further on 6.8.2010 registered the rectification deed vide Doc. No.10127/2010, by showing the original place i.e., Ramalingapuram and thereby caused loss to the Government exchequer to a tune of Rs.1,53,475/- (Stamp fee Rs.1,45,395/- and registration fee Rs.8,080/-) by knowing well of such malpractices. Even after the rectification deed the Government servant has not taken any steps to recover deficit stamp duty from Smt. M. Sowjanyamma at least after the registration of the rectification of lease deed.

Thus Sri Y.K.Nanda Kishore S/o. Venkata Rangaiah, Formerly Joint Sub-Registrar-II, Registrar Office, Nellore by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a government servant and there by contravened Rule 3 (1) & (2) APCS(Conduct) Rules, 1964.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI YAKAM KESARI NANDA KISHORE, FORMERLY JOINT SUB-REGISTRAR-II, NELLORE, SPSR NELLORE DISTRICT.

That the Government Servant, Sri Y.K. Nanda Kishore, Joint Sub-Registrar-II is a native of Kavali, SPSR Nellore District. His date of birth is 14.07.1969. He joined in Government Service on 08-04-1985 as Attender in Stamps & Registration Department. On 07.06.1993 he was promoted as Shroff, on 25.11.1994 he was promoted as Junior Assistant. Further promoted as senior assistant on 18.03.2004 and thereafter promoted as Sub-Registrar and worked as Joint Sub-Registrar-II, Nellore from 23.04.2010 to 03.01.2011 at the O/o. District Registrar, Nellore. He is due to retire on attaining the age of superannuation on 31-07-2029. He is here-in-after referred to as Government Servant.

FACTS AND EVIDENCE:

That on a private complaint filed by Sri G.Stalin babu (Advocate) of Nellore before the Hon'ble special judge for SPE &ACB cases, Nellore Dated 14.12.2010, the Hon'ble court referred the complaint to the DSP, ACB, Nellore on 24.12.2010 under section 156(3) Cr.PC for registration of case and investigation. Consequently a case in Crime No.1/RCO-NLR/2011 was registered and investigation into. The investigation revealed that Smt. M. Sowjanyamma purchased a land to an extent of 9.18 ankanams each from Kotamreddy Parandhami Reddy, Kotamreddy Kavitha, Kotamreddy Kalpana and Ponnaluru Ravindra Reddy. The total extent was 45.41 ankanams and accordingly got registered in her favour. Actually the extent purchased from the above 4 persons only 36.72 ankanams. She deliberately declared and got registered for an extent of 45.91 ankanams. Sri K. Srinivasa Rao, formerly Joint Register-I, Nellore registered the said land vide Doc.No. 12944/2006 dated 6.9.2006 without verifying the actual location of the site registered. In fact the site was located at Ramalingapuram, Nellore city. Whereas it was registered as if the above said site located near D.No:26-1-1967, Kondayapalem, Nakkalagunta, Nellore city where the value of registration of property is less.

That on the Application of Smt. M.Sowjanyamma, the Commissioner, Municipal Corporation, Nellore Sri T.S.R.Anjaneyulu issued building plan approval on 24.5.2010 vide BA.No. 199/2010. Sri A.Sambaiah, Town planning building over seer and Sri M. Rajendra Prasad Naik City Planner without inspecting the site and without verifying the encroachments of Municipal and endowment sites recommended for approval to the building plan submitted by Smt. M.Sowjanyamma.

That Smt. M.Sowjanyamma constructed a building and leased it to Sri Chaitanya Techno school, Ramalingapuram, Nellore to run a school vide lease document No. 7129/2010, dated 8.6.2010. The said lease deed was registered by the Government Servant Sri Y.K.Nanda Kishore, Joint Registrar-I, Nellore. The Government Servant did not conduct physical verification of property registered under the above said lease deed which he was supposed to visit as per the rules in force.

That on 6.8.2010 Smt. M. Sowjanyamma got registered a rectification deed by changing the identity of the property and it's location as Ramalingapuram, Nellore, vide Doc.No 10127/2010, SRO, Nellore through the Government Servant by showing the original place of Ramalingapuram by changing the earlier location of site at Nakkalagunta area of Kondayapalem, Nellore. Thus Sri Y.K. Nanda Kishore caused revenue loss to the Government exchequer without taking any steps to recover the deficit stamp duty from Smt. M.Sowjanyamma.

The investigation revealed that, "as per the rules existing by then the Government servant has to conduct physical verification of the property intended for registration. But the Government servant failed to visit the same before registering the document and also failed to observe the exact location of the

Contd.,2

property by colluding with Smt. M.Sowjanyamma for wrongful gain to himself and wrongful loss to the Government Revenue. Further the Government servant registered a rectification deed vide Doc.No: 10127/2010 dated 6.8.2010 submitted by Smt. M.Sowjanyamma for changing the identity of the property and its location. Thus, the Government servant without putting any objection and in derelictions of duties, got register the rectification deed without collecting or recovering the deficit stamp duty as mentioned above from Smt. M. Sowjanyamma.

The District Registrar (Market Value and Audit) Registration and Stamps Department informed through their letter dated 16.7.2011 that the SRO Joint-I, and the Government servant registered the site and lease deed by showing the nearest door number of Kondayapalem where the land value covered by the sale deed was less instead of the actual location of the property which located at Ramalingapuram and thereby caused a Revenue loss to the Government.

During the investigation, the Investigation Officer recorded the statement of Sri K. Satyanaryana Rao, District Registrar formerly, R&S Department, Nellore who clarified that the Government servant violated the guide lines of the Department concerned in registering the document bearing No. 12944/2006, 7129/2010, and 10127/2010.

That the available evidences on record discloses that the Government servant acted in violation of the rules framed by the Government pertaining to registration of document and caused Revenue loss to the Government to a tune of Rs. 1,53,475/-.

That the Government Servant Sri Y.K.Nanda Kishore, Joint Sub Registrar-II, Nellore city intentionally allowed Smt. M. Sowjanyamma to register the lease deed vide Doc.No.7929, dated 08.06.2010 by showing the site at Kondayapalem area though the actual location of the site situated at Ramalingapuram with a common intention to do favour for the party in avoiding stamp duty, without verifying the actual location of the site registered and further on 6.8.2010 registered the rectification deed vide Doc. No. 10127/2010, by showing the original place i.e., Ramal ingapuram and thereby caused loss to the Government exchequer to a tune of Rs.1 ,53,475/- (stamp fee Rs. 1,45,395/- and registration fee Rs. 8,080/-) by knowing well of such malpractices. Even after the rectification deed the Government servant has not taken any steps to recover deficit stamp duty from Smt. M. Sowjanyamma at least after the registration of the rectification of lease deed.

Thus, the Government Servant Sri Y.K.Nanda Kishore, formerly Joint Registrar- 11, Nellore by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1) (2) of APCS (Conduct) Rules, 1964.

Therefore the Government servant Sri Y.K. Nanda Kishore is liable for departmental action for major penalty.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – III

LIST OF RECORDS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI YAKAM KESARI NANDA KISHORE, FORMERLY JOINT SUB-REGISTRAR-II, NELLORE, SPSR NELLORE DISTRICT.

LIST OF RECORDS

1. F.I.R IN CR.NO.1/RCO-NLR/2011 U/S 13(2) R/W 13(1)(D) OF P.C. ACT, 1988 AND U/S 482,489,485,166,167,177,182, 192,199 R/W 34 AND 120-8, 468, 471 R/W 109 IPC AND U/S 81 AND 82 OF INDIAN REGISTRATION ACT DATED 03-01-2011 - Containing - 1 to 06 Sheets

2. Letter dated 16.07.2011 of Sri K.Satyanarayana Rao, District Registrar, V & Audit, Registration and Stamps Department, AK Nagar, Nellore along with MVG register copy - Containing - 1 to 35 Sheets

3. Document No.12944/2006, dated: 06.09.2006 of Sub-Registrar-I, O/o. District Registrar, Nellore. Containing - 1 to 10 Sheets

4. Lease deed agreement No.7129/2010 of Sub-Registrar-I, O/o. D.R. Nellore. Containing - 1 to 09 Sheets

5. Rectification of lease deed document No.10127/2010 of Sub-Registrar-I, O/o. District Registrar, Nellore. Containing - 1 to 06 Sheets.

If any documents found necessary they will be produced at the time of enquiry.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSESS IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI YAKAM KESARI NANDA KISHORE, FORMERLY JOINT SUB-REGISTRAR-II, NELLORE, SPSR NELLORE DISTRICT.

LIST OF WITNESSES:-

L.W:1: SRI GUMMADI STALLIN BABU S/O RAJU, LAKSHMINAGAR, NELLORE:

On examination he stated that he is resident of Lakshminagar, Nellore. He speaks to the facts of his complaint and etc.

L.W :2: SRI TAMIRISA SRINIVASA RAO S/O RAMMOHAN RAO, 42 YRS, CAMPUS INCHARGE, SRI CHAITANYA TECHNO SCHOOL, RAMALINGA-PURAM, NELLORE.

He speaks to the facts of lease deed executed by Smt. M. Sowjanyamma in favour of Chaitanya Techno school, Ramalingapuram, Nellore.

L.W.3: Sri.Banthu Maheswara Reddy s/o Siva Reddy, Age 46 years, Assistant Commissioner, Endowments, Nellore.

He speaks to the facts of encroachment of endowment lands by Smt. M. Sowjanyamma and etc facts.

L.W.4 : Sri Banthu Gurava Reddy s/o rami reddy, age 48 years, Town Planning Supervisor, Nellore Municipal Corporation, Nellore.

He speaks to the facts of building of approval of Sri Chaitanya Techno school, Ramaliongapuram , Nellore.

L.W.5: Sri K. Satyanarayana Rao,District Registrar formerly,R&S Dept., Nellore

He speaks about registration of documents No.12944/2006, 7129/2010 and 101/2010 by A.O's 1 and 2 furnishing of certified copies of said documents and furnishing the market value guidelines of Nellore Corporation etc. facts.

L.W.6: Sri V.S.Prasad, lecturer DIET, Pallipadu and formerly as Dy. Educational Officer, Incharge Nellore (worked from 01.07.2010 to 14.09.2010).

He speaks about his conducting of verification of documents submitted by the Sri Chaitanya Techno School and premises of said school building as per the instructions of RJD, Guntur on the application of M/s. Nexgen Educational Trust to run the school in the said building and finding variation in the address of the school building in lease agreements of school building and actual location of school building and non submission of fire NOC by the School authorities and submission of his remarks to the District Educational Officer etc facts.

L.W. 7: Sri B. Sarath Babu, formerly DSP, ACB, Nellore Range, Nellore

He speaks about registration of case, line of investigation i.e. collection of documents from Registration Department, Municipal Corporation of Nellore, District Fire Office, SPSR Nellore District, Endowment Department, Education Department and serving of notices to the A.O's and obtaining of explanations etc. facts.

L.W. 8: Sri J. Bhaskara Rao, Formerly DSP, ACB, Nellore Range, Nellore.

He speaks to the facts of his further investigation and filing of final report and etc.

If any witness found to be necessary will be produced at the time of enquiry.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER